

AUG 02 2005

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Gerhard Jaehne, et al.

Examiner: Nwaonicha, Chukwuma O.

Serial No.: 10/664,855

Art Unit: 1621

Filed: September 22, 2003

TELEFAX CERTIFICATE

I hereby certify that this correspondence is being
transmitted via facsimile to the Commissioner for
Patents, Alexandria, VA 22313, at (571) 273-8300 on

Title: C2-Substituted Indan-1-ols and Their
Derivatives, Processes for Their
Preparation and Their Use as
Pharmaceuticals

8-2-05
Date of Transmission
Signature *Michael Mendez*

TERMINAL DISCLAIMER

Commissioner for Patents

Washington, D.C. 20231

Sir:

The petitioner, Aventis Pharma Deutschland GmbH, having offices at Bruninigstrasse 50, Frankfurt am Main, GERMANY, D-65929, represents that it is the assignee of Application Serial No. 10/664,855, filed on September 22, 2003, by virtue of an assignment of the parent Application Serial No. 10/231,394, now U. S. Patent No. 6,657,086 B2, which is recorded at the USPTO at Reel/Frame 013535/0808 on November 27, 2002.

The petitioner, Aventis Pharma Deutschland GmbH, hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of a patent issued from U.S. Patent Application No. 10/981,045, which is assigned to and commonly owned by Aventis Pharma Deutschland GmbH, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to aforementioned patent issuing from U. S. Patent Application No. 10/981,045, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Such disclaimer does not, however, mean that petitioner hereby waives or disclaims any right to an extension of the term of any patent issuing from application serial number 10/664,855, under 35 USC §§ 155 to 156, pursuant to (a) Title II of Pub. L. No. 98-417, enacted on September 24, 1984, and entitled the "Drug Price Competition and Patent Term Restoration Act of 1984", (b) Pub. 98-417, enacted on September 24, 1984, and entitled the "Drug Price Competition and Patent Term

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Restoration Act of 1984", (b) Pub. L. No. 100-670, enacted November 16, 1988 and entitled "Patent Term Extension for Animal Drug Products", or (c) any other subsequently enacted Public Law or Act which provides for the extension of the term of a patent.

Such disclaimer does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer of a patent issued from U. S. Patent Application No. 10/981,045 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated above.

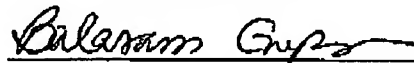
For submissions on behalf of Aventis Deutschland GmbH, the undersigned is empowered to act on behalf of the organization. Enclosed is a Statement under 37 C.F.R. 3.73(b) Establishing Right of Assignee to Take Action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge Deposit Account No. 18-1982 in the amount of \$130.00. The Commissioner is authorized to charge any fees under 37 CFR 1.16 - 1.21 or credit any overpayment to Account No. 18-1982.

Signed at Bridgewater, New Jersey, U.S.A., this 2nd day of August, 2005.

Respectfully submitted,



Balaram Gupta, Reg. No. 40,009
Attorney/Agent for Applicant

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PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Aventis Pharma Deutschland GmbHApplication No./Patent No. 10/664,855 Filed/Issue Date: September 22, 2003Entitled: C2-Substituted Indan-1-ols and Their Derivatives, Processes for Their Preparation and Their Use as PharmaceuticalsAventis Pharma Deutschland GmbH

(Name of Assignee)

, a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____ Frame _____ or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____ Frame _____ or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____ Frame _____ or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

August 2, 2005

Date

Balaram Gupta, Reg. No. 40,009

Typed or printed name

Balaram Gupta

Signature

Associate Vice President

Title

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

DEAV 2001/0045 US NP

ASSIGNMENT

For valuable consideration, the receipt and adequacy of which is hereby acknowledged,

I/we

- 1) Dr. Gerhard Jaehne, Seebachstraße 22, 65929 Frankfurt, Germany
- 2) Dr. Volker Krone, Zu den Elchen 25, 65719 Hofheim, Germany
- 3) Dr. Martin Bickel, Mittelstedter Weg 3, 61348 Bad Homburg, Germany
- 4) Dr. Matthias Gossei, Im Lorsbachtal 17a, 65719 Hofheim, Germany

The inventors are citizens of: 1) - 4) GERMANY

hereby sell, assign, and transfer unto AVENTIS PHARMA DEUTSCHLAND GMBH ,
a corporation organized under the laws of Germany,
located at 65929 Frankfurt am Main, Germany,

the entire right, title and interest in and to my/our application for Letters Patent of
the United States , executed concurrently herewith

Ser.-No.:

filed: August 30, 2002

entitled: C2-substituted indan-1-ols and their derivatives, processes for their
preparation and their use as pharmaceuticals

and my/our entire right, title, and interest in and to all my/our inventions disclosed in said
application for Letters Patent, and in and to all divisional or continuation applications that
may be filed for United States Letters Patent for any of said inventions, and in and to all
patents that may be granted on the foregoing applications, and I/we hereby agree, whenever
requested, to communicate to said assignee, its successors and assigns, any facts known to
me/us respecting said inventions, to testify in any legal proceeding, and to execute all
applications or papers necessary to obtain and maintain proper patent protection on said
inventions in the United States.

Inventor(s):

1 st :	<u>Gerhard Jaehne</u>	Date: <u>11.08.02</u>
2 nd :	<u>Volker Krone</u>	Date: <u>27.09.02</u>
3 rd :	<u>Martin Bickel</u>	Date: <u>7.10.02</u>
4 th :	<u>Matthias Gossei</u>	Date: <u>01.10.02</u>